



Appeal Decision

Site visit made on 10 July 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th July 2024

Appeal Ref: APP/Z3635/D/24/3345780

22 Cecil Road, Ashford TW15 1RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Muhammad Zaheer against the decision of Spelthorne Borough Council.
 - The application Ref 24/00179/HOU.
 - The development proposed is the demolition of existing side garage and side glass lean to roof proposed single storey side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing side garage and side glass lean to roof proposed single storey side extension at 22 Cecil Road, Ashford TW15 1RJ 1BS in accordance with the terms of the application Ref. 24/00179/HOU subject to the conditions listed below: -
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: -2024 -21- 04 Revision A, 2024 -21- 05 Revision A, 2024 -21- 03 Revision A, 2024 -21- 02 Revision A, and 2024 -21- 01 Revision A.

Preliminary Matter

2. Prior Approval Notification for a single storey rear extension extending 8 metres beyond the rear wall of the original house, with a maximum height of 2.9 metres and a height of 2.8 metres to the eaves was approved 9 October 2023 (Council reference 23/01090/PDH). When I visited the site the garage and lean-to had been removed and the walls of this rear extension had been partially constructed. The development under construction is not of the form proposed under this proposal which also extends to the side.

Main Issue

3. The main issue is the effect of the development on the host property and the character and appearance of the area.

Reasons

4. The detached chalet bungalow is part of a row of three to the east of Cecil Road, however, the road comprises a mixture of property types and styles. To the north of the appeal property is a terrace of two-storey houses with an access drive abutting the boundary.
5. Policy EN1 of Spelthorne Core Strategy and Policies Development Plan Document (Adopted February 2009) (CS) requires a high standard of design and seeks to ensure that proposals have regard to local character through their scale, height, proportions, building lines and materials. The supporting Design of Residential Extensions and New Residential Development, Supplementary Planning Document 2011 (SPD) advises that extensions should be subordinate and that very large extensions may result in the scale of extended houses being out of character with their locality.
6. The depth and scale of properties in the vicinity vary, and whilst doubling the size of the existing property, the resultant depth would not be dissimilar to the bungalows to the other side of the road and the scale of the property would not be disproportionate to the plot.
7. The side of the extension would be visible from Cecil Road along the gap formed by the access drive to the side. However, it would extend a limited height above the boundary fence and be screened in general views along the road by the host and neighbouring properties, which are sited further back. With the additional side element, the extension would be closer to the boundary, nonetheless, the depth to the rear would be the same as the permitted 8m extension, and previously a garage and lean-to sat alongside the property. As such, and whilst being extensive, the flat-roofed form would not be overly prominent in the street scene or imposing on neighbouring properties.
8. Having regard to the mixed character of the area and the massing of the extension, I do not find it would be incongruous, or unduly harmful to the appearance of the host property and the surrounding area. It would therefore accord with the aims of Policy EN1 of the CS relating to the quality of design and contributing to the street scene and the character of the wider area. It would exceed the recommendation of 4 metres for rear extensions set out in the SPD, however, this guidance pre-dates changes to permitted development rights and I have given weight to the prior approval as a fallback.

Other Matters

9. The Council also refer to emerging policies of the pre-submission Spelthorne Local Plan 2022-2037 but acknowledge that they have limited weight at this stage, and I have based my decision upon the adopted development plan and the other considerations before me.

Conclusion and Conditions

10. For the reasons set out I conclude that the appeal should be allowed subject to conditions to ensure compliance with the statutory requirements relating to the commencement of development and the plans in order to provide certainty. Additionally, in the interests of the character and appearance of the area the materials to match.

11. The appeal is therefore allowed.

G Ellis

INSPECTOR